

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PAIGE ANN ARCURI,)
Plaintiff(s),)
vs.)
STATE FARM MUTUAL AUTO)
INSURANCE COMPANY, et al.,)
Defendants.)
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Case No. 2:13-cv-00416-GMN-NJK
ORDER SETTING HEARING
(Docket No. 20)

Pending before the Court is the parties' third proposed discovery plan. Docket No. 20. The Court has already twice denied the parties' proposed discovery plans based on identified non-compliance with the Local Rules, and the Court has twice ordered that a new proposed discovery plan be filed that does comply with the Local Rules. Docket Nos. 14, 17. In the last such order, the Court repeated that Local Rule 26-4 was misstated in the second proposed discovery plan, as it had been in the first proposed discovery plan. Local Rule 26-4 requires that "requests for extending discovery deadlines must be filed no later than 21 days before the subject deadline sought to be extended." *See* Docket No. 17 at 1 (quoting Docket No. 14). The third proposed discovery plan continues to be deficient in this respect, stating that requests to change any of the deadlines in the discovery plan may be made up to 21 days before the discovery cut-off. Docket No. 20 at 3. This remains inaccurate. By way of example, under Local Rule 26-4, a request to extend the deadline for initial expert disclosures must be filed at least 21 days before the initial expert disclosure deadline. A request to extend the deadline for initial expert disclosures filed 21 days before the discovery cut-off would be untimely.

The Court is also concerned by counsels' failure to follow clear Court orders. In addition to the failure to comply with the Court orders in drafting the second and third proposed discovery

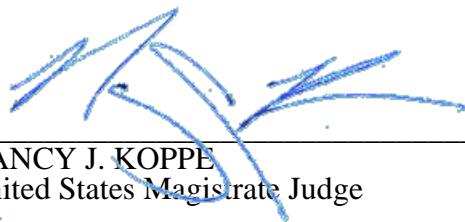
1 plans, counsel also failed to comply with the Court's order that the third proposed discovery plan be
2 filed no later than May 20, 2013. *See* Docket No. 17 at 1. Instead, counsel filed the third proposed
3 discovery plan on May 22, 2013.

4 The Court has previously cautioned the parties that they are required to comply with the
5 Local Rules and Court orders, and that the failure to do so can result in sanctions. Docket No. 17 at
6 1 n.1. Despite that warning, counsel continue to violate the Local Rules and Court orders.

7 Accordingly, counsel for all parties are ORDERED to appear before the Court in courtroom
8 3B on May 29, 2013 at 2:30 p.m.

9 IT IS SO ORDERED.

10 DATED: May 23, 2013

11 
12 NANCY J. KOPPE
13 United States Magistrate Judge